

UTAH AIR QUALITY BOARD MEETING
December 6, 2006

DRAFT MINUTES

I. Call to Order

John Veranth called the meeting to order at 1:32 PM.

Board members present:

Nan Bunker, Jerry Grover, Jim Horrocks, Dianne R Nielson, Wayne Samuelson, Joann Seghini, Don Sorensen, Ernest Wessman, Stead Burwell and John Veranth.

Executive Secretary: Richard W. Sprott

Board member excused:

Scott Lawson

II. Date of the Next Air Quality Board Meeting

January 3, 2006 will be set as a tentative date for the next Board meeting.

III. Approval of the Minutes for November 1, 2006 Board Meeting

- Mr. Wessman made the motion to approve November 1, 2006 minutes.
Ms. Bunker seconded and the Board approved unanimously.

IV. Propose for Public Comment: Amend R307-120, General Requirements: Tax Exemption for Air and Water Pollution Control Equipment. Presented by Tim Blanchard.

Mr. Blanchard stated that in the 1970s the Legislature decided to provide a sales tax credit for pollution control equipment, the program for air and water equipment was written into Title 19, Chapter 2, Air Conservation Act. Since that time, the Division of Water Quality has administered their pollution control credits through R307-120, which is an air quality rule. They would like to propose that R307-120 be amended so that the Division of Water Quality can now write its own rule. The two divisions are working together to make the amendments. They are removing references to water pollution and the Water Quality Board from R307-120 and this will insure that their new rule and our changes become effective on the same date. Mr. Veranth asked when the last

five-year review was. Mr. Carlile stated that it was March 26, 2002 and it is in the plans to be reviewed.

- Ms. Seghini made the motion to propose for public comment: Amend R307-120, General Requirements: Tax Exemption for Air and Water Pollution Control Equipment. Ms. Bunker seconded and the Board approved unanimously.

V. Variance Request-Brigham Young University (BYU), Deseret Towers Demolition. Presented by Bowen Call.

Mr. Samuelson stated that he works with a non-profit organization with BYU. Mr. Call introduced Craig Barrus, Erik Davis, Ole Smith, and Edwin Jackson from BYU. Mr. Davis, counsel for BYU, stated that they have submitted a variance request and it is to give BYU and their contractor relief from the fugitive dust rules during the demolition of Deseret Towers buildings V and W using explosive methods for the implosion. He stated that BYU has taken measures to minimize the impact. They have done extensive preparatory work. They have removed asbestos. It will be a safe process and in a controlled environment.

Mr. Jackson went over the different types of demolition, deconstruction, mechanical, and explosive demolition. He felt that the explosive demolition would be the best due to the fact that the students would be gone for the holidays and they would not be impacted and there would only be a short period of time involved. The explosive demolition would also be less intrusive. Ms. Nielson stated that when the Murray stacks were demolished DEQ had extensive discussions with EPA who had evaluations and showed the steps they would take to minimize dust and remediate impacts afterward. She stated that she appreciated the information provided by BYU, but documentation is lacking. The Board needs to see the steps that are going to be taken and what kind of impact there would be on the environment and the citizens, and if there were an impact, how they would handle it. The Board has not seen the planning or the engineering in this project. Mr. Wessman agreed with Ms. Nielson. He stated that weather, cost analysis, dispersion analysis was not in the application. There needs to be more. Mr. Barrus stated that he recognizes the application is not in enough depth, but BYU has very few windows of opportunity. BYU is concerned for the safety of the students and during the holidays they would be gone.

Ms. Susan Hardy from the Wasatch Front Regional Council suggested moving the time of the demolition to spring or summer. Right now Utah has an inversion and we are close to non-attainment. She would like to end the year without any kind of spike on the monitors. Mr. Veranth stated that winter is not a good time to do this because the PM2.5 will have consequences. Ms. Kathy Van Dame of the Wasatch Clean Air Coalition asked BYU if there was any public notice regarding the matter. Mr. Grover stated that an article was in the Provo Daily Herald. Mr. Sorensen agreed with Mr. Wessman's comments and he stated that this was presented with short notice and there is not a solid plan. There is no public

awareness of public hazards. The whole application is lacking. Mr. Davis stated that this is a learning process for BYU. BYU has removed asbestos and is ready to consider other alternatives and do this in a more safe and rational way. Mr. Sprott stated that the division would be happy to work with BYU on any questions they may have.

- Mr. Wessman made the motion to deny the variance request for Brigham Young University (BYU), Deseret Towers Demolition. Mr. Sorensen seconded and the Board passed the motion unanimously.

VI. Informational Items

A. Sierra Club Requests for Agency Action (Sevier Power and IPP) - Information and Scheduling. Presented by Fred Nelson.

Mr. Nelson stated that two years ago the Sierra Club was denied standing by the Air Quality Board, but just recently the Supreme Court granted the Sierra Club standing. The next step in the process will be the parties getting together to agree upon a schedule, and if they cannot agree on a schedule, they can each submit their own proposal by December 22, 2006. The Board can look at the proposals January 3, 2006.

B. Compliance. Presented by Bryce Bird.

C. HAPS. Presented by Robert Ford.

D. Monitoring. Presented by Bob Dalley.

Mr. Dalley updated the Board on the latest air monitoring.

Ms. Nielson stated that the new Choice calendars were available online on DEQ's website and she provided each of the Board members with one. They include recommendations to make a difference with air pollution, lead base paint, water, and radon. She hoped the calendars will provide good choices for everyone.

Meeting adjourned 2:38 PM.